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E-FILED - 4/20/09

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR 09-00118-RMW
)	
Plaintiff,)	STIPULATION TO CONTINUE
v.)	HEARING; [] ORDER
)	
MARIA BERTRAND,)	
)	
Defendant.)	
_____)	

Defendant, Maria Bertrand by and through her attorney Nicholas P. Humy, and the United States, by and through Assistant United States Attorney Jeffrey Schenk, hereby stipulate and agree to request that the Court continue the status conference currently set for Monday, April 13, 2009, in the above captioned matter to Monday, April 20, 2009 at 9:00 a.m. The continuance is necessary due to the unavailability of counsel for Ms. Bertrand.

The parties further agree and stipulate that time should be excluded from and including April 13, 2009 through and including April 20, 2009, for continuity of defense counsel, pursuant to Speedy Trial Act, 18 U.S.C. §3161(h)(7)(A) and (B)(iv). Accordingly, the United States and

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STIPULATION TO CONTINUE HEARING;
[] ORDER
CR 09-00118-RMW

1 the defendant agrees that granting the requested exclusion of time will serve the interest of justice
2 and outweigh the interest of the public and defendant in a speedy trial.

3
4 Dated: 4/10/09

_____/s/_____
NICHOLAS P. HUMY
Assistant Federal Public Defender

5
6 Dated: 4/10/09

_____/s/_____
JEFFREY SCHENK
Assistant United States Attorney

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8
9
10 **ORDER**

11 The parties have requested a continuance of the status conference set for Monday, April
12 13, 2009 due to the unavailability of defense counsel.

13 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date
14 presently set for Monday, April 13, 2009 at 9:00 a.m., be continued to Monday, April 20, 2009 at
15 9:00 a.m.

16 IT IS FURTHER ORDERED, that the time between April 13, 2009 through
17 April 20, 2009, shall be excluded for continuity of defense counsel, pursuant to Speedy Trial
18 Act, 18 U.S.C. §3161(h)(7)(A) and (B)(iv).

19 IT IS SO ORDERED.

20
21 Dated: 4/20/09



RONALD M. WHYTE
United States District Judge